

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: James E. Moon et al.

Ser. No.: Not Assigned

Ser. No.: Not Assigned

Parent Appln. Information:

Filed: Concurrently Herewith

Serial No. 09/334,408

Filed: June 16, 1999

**COPY OF PAPERS
ORIGINALLY FILED**

For: ~~METHOD FOR FABRICATING MEMS AND MICROFLUIDIC DEVICES~~
USING SMILE, LATENT MASKING, AND DELAYED LOCOS TECHNIQUES

Box Divisional Patent Application
Assistant Commissioner for Patents
Washington, DC 20231

"EXPRESS MAIL" mailing label number EL730907760US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express-Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the **Box Divisional Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231** on *November 2, 2001*.

Cheryl M. Nichols

**PETITION FOR ACCEPTANCE OF
PHOTOGRAPHS UNDER 37 CFR §1.84(b) AND
TRANSMITTAL OF FEE UNDER 37 C.F.R. §1.17(i)**

Sir:

Transmitted herewith are two sheets (Figs. 6a, 6b and 14) of black and white photographic drawings for the above-identified application. These photographs are discussed in the specification, illustrate the aspects of the invention as cited in the specification, and are a part of this application. It is hereby requested that the PTO accept the attached photographs as part of the disclosure of this application. Attached is our check in the amount of \$130.00 in payment for the fee under Rule 17(i).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI, LLP

Dated:

By:

Christopher R. Pastel
Reg. No. 37,694

CRP/cmn

Customer No.:



PATENT TRADEMARK OFFICE

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#3

**James E. Moon, Timothy J. Davis, Gregory J. Galvin, Kevin A. Shaw,
Paul C. Waldrop and Sharlene A. Wilson**

Our Docket No.: 989_001DIV2

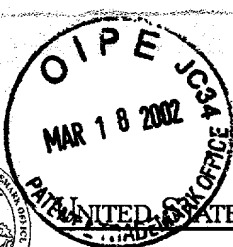
**For: METHOD FOR FABRICATING MEMS AND MICROFLUIDIC
DEVICES USING SMILE, LATENT MASKING, AND DELAYED
LOCOS TECHNIQUES**

Attorney of Record: Christopher R. Pastel

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/003,851	11/02/2001	James E. Moon	989_001DIV2

CONFIRMATION NO. 9771

FORMALITIES LETTER



OC000000007265513

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Syracuse, NY 13202

Date Mailed: 01/04/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **6A, 6B, 14** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

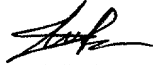
In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

aid date: 03/20/2002 JADD01 10003851
03/20/2002 JADD01 00000058
130.00 NO

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE